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Remarks:

Reconsideration of the application is requested.

Claims 1-4 and 6-11 remain in the application. Claims 1 and 3 have been amended. Claim 11 has been added, support for which can be found in claim 5. No new matter has been added. Claim 5 has been cancelled. The amendment to claim 1 was made to provide antecedent basis for the "channel slot". Claim 1 was not amended to overcome the prior art. The specification was amended to correct a typographical error.

In the first paragraph on page 2 of the above-identified Office action, claim 3 has been objected to because of the following informalities.

More specifically, the Examiner stated that in the last line of claim 3, the word "the" should be taken out. Claim 3 has been amended so as to facilitate prosecution of the application, and the word "the" has been removed. Therefore, the objection to claim 3 has been overcome.

Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons.

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The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In the second paragraph on page 3 of the Office action, claims 1-5, 7, 8, and 10 have been rejected as being fully anticipated by Brückl et al. (DE 198 37 362 A1) (hereinafter "Brückl") under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

an infeed channel having a channel slot formed therein, and an infeed element guidable in the channel slot.

The Brückl reference discloses an infeed device having an infeed means (11), an infeed triangle (02) attached to the infeed means (11) at a location (12), and a reinforced part (03) attached to the infeed triangle (02) at a trailing edge

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of the infeed triangle (02). The reinforced part (03) has a planar outer surface and includes inner form elements (06). A mating piece (07) having an outer planar surface and inner form elements (08) which cooperate with the form elements (06) of the reinforced plate (03) to clamp the leading edge of a web (01) is disclosed.

The reference does not show an infeed channel having a channel slot formed therein and an infeed element guidable in the channel slot, as recited in claim 1 of the instant application. The Brückl reference discloses an infeed means (11) having an infeed triangle (02) attached thereto. The Brückl reference does not disclose that the infeed means (11) has an infeed channel having a channel slot formed therein. This is contrary to the invention of the instant application as claimed, in which an infeed channel has a channel slot formed therein, and an infeed element guidable in the channel slot.

Since claim 1 is believed to be allowable, dependent claims 2-4, 7, 8, and 10 are believed to be allowable as well.

Regarding the patentability of claim 11 the following remarks are made.

Claim 11 calls for, *inter alia*:

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a deformation extending at least approximately perpendicularly to the infeed direction on a side of the infeed triangle facing towards the infeed channel, the deformation having a height exceeding the width of the channel slot formed in the infeed channel.

Regarding the Examiner's comments on page 4 of the Office action, with respect to claim 5, that the infeed device has a deformation formed on the infeed triangle with a height exceeding the width of the channel slot formed in the infeed channel, it is noted that the deformation (06) disclosed by Brückl is used to clamp the web. Moreover, the Brückl reference does not disclose that the infeed means (11) includes a channel slot. Therefore, the deformation disclosed in Brückl cannot have a height which exceeds a width of a channel slot.

The reference does not show a deformation extending at least approximately perpendicularly to the infeed direction on a side of the infeed triangle facing towards the infeed channel, the deformation having a height exceeding the width of the channel slot formed in the infeed channel, as recited in claim 11 of the instant application. As noted above the Brückl reference discloses an infeed means (11). However, the Brückl reference does not disclose that the infeed means includes a

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channel slot. Therefore, the deformation element disclosed in Brückl cannot have a height which exceeds a width of a channel slot. This is contrary to the invention of the instant application as claimed, in which the deformation formed on the infeed triangle has a height exceeding the width of the channel slot formed in the infeed channel.

Even though the claims are believed to be patentable, further discussion of the inventiveness of the present invention is given.

The Brückl reference does not disclose a channel slot. The Brückl reference discloses an infeed means (11) which is a flat ribbon shaped part (Fig. 3). The Brückl reference does not state if the infeed means runs in a channel slot or is guided by rollers without any slot. Since the Brückl reference does not disclose a channel slot, there is no motivation for a person of ordinary skill in the art to construct a deformation having a height which is greater than the width of the channel slot, in order to prevent the triangle or web from running into the channel slot and being damaged.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is,

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therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

It is appreciatively noted from page 2 of the Office action, that claims 6 and 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have not been amended as indicated by the Examiner, as the claims are believed to be patentable in their existing form.

In view of the foregoing, reconsideration and allowance of claims 1-4 and 6-11 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,

  
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